UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,669	03/15/2001	Jean Paul Van Hissenhoven	6483-010	5415

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EXAMINER
ARSHAD, UMAR

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/809,669	Applicant(s) HISSENHOVEN ET AL.
	Examiner Umar Arshad	Art Unit 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 March 2003</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-31</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 March 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance

with 37 CFR 1.67(a) identifying this application by application number and filing date is

required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The date is missing in the inventor's signature for Jean Paul Van Hissenhoven.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they do not include the following reference sign(s) mentioned in the

description: "window W" mentioned on page 10, line 14 of the specification. A proposed

drawing correction or corrected drawings are required in reply to the Office action to

avoid abandonment of the application. The objection to the drawings will not be held in

abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they include the following reference sign(s) not mentioned in the description:

item 218 in Figure 3. A proposed drawing correction, corrected drawings, or amendment

to the specification to add the reference sign(s) in the description, are required in reply

to the Office action to avoid abandonment of the application. The objection to the

drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: the drawing

reference "32" in figure 1 is incorrectly associated with the object "desk" on page 6, line

1; the drawing reference "54" in figure 1 is incorrectly associated with the object

"drawers" on page 14, line 8; the drawing reference "12" in figure 2 is incorrectly

associated with the object "screen" on page 15, line 12.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 7 and 13 – 18 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Claim 7 recites the limitation "said display element" in line 1. There is insufficient

antecedent basis for this limitation in the claim.

Claims 13 recites the limitation "the method of claim 8" in line 1. There is

insufficient antecedent basis for this limitation in the claim.

Claims 14 and 17 recite the limitation "the method of claim 13" in line 1. There is

insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the method of claim 14" in line 1. There is

insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the method of claim 15" in line 1. There is

insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the method of claim 17" in line 1. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 6, 10 – 12, and 19 – 24 are rejected under 35 U.S.C. 102(b) as being

anticipated by Baker, U.S. Patent No. 6,002,401.

As per claim 1, Baker teaches a system adapted to provide data exchange or

access for a user, said system comprising:

a data access device having a pointing device; and

a screen coupled to said data access device and arranged to display an image of

a user familiar environment, said user familiar environment formed of a plurality of

objects (see Baker, figure 1a, items 12, 18, and 20 and column 12, lines 44 - 59), each

object being suggestive of a category of information (see column 12, lines 57 – 63; it is

inherent that an icon represents a category of information), said image having image

elements corresponding to said objects (see Baker, column 12, lines 44 – 59), said data

access device being adapted to obtain information corresponding to one of said objects

when said pointing device points to the image element corresponding said one object

(see Baker, column 10, lines 1 – 5).

As per claim 2, which is dependent on claim 1, Baker teaches the system of claim 1 (see rejection above). Baker further teaches the system wherein said image includes a display area, and wherein said data access device is adapted to show a message in said display area (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 3, which is dependent on claim 1, Baker teaches the system of claim 1 (see rejection above). Baker further teaches the system wherein said data access device is adapted to show a message in said display area, said message identifying the information associated with a particular image element (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 4, which is dependent on claim 1, Baker teaches the system of claim 1 (see rejection above). Baker further teaches the system wherein one of said image elements is a moving image element (see Baker, column 9, lines 40 – 54).

As per claim 5, which is dependent on claim 4, Baker teaches the system of claim 4 (see rejection above). Baker further teaches the system wherein said one image element is set into motion when selected by said pointing device (see Baker, column 10, lines 1 – 5).

As per claim 6, which is dependent on claim 5, Baker teaches the system of

claim 5 (see rejection above). Baker further teaches the system wherein said one

image element is adapted to show a display area for messages (see Baker, figure 1a,

item 18, and column 13, lines 2 – 9).

As per claim 10, Baker teaches a method for providing information to a user on a

data access device, said method comprising:

generating an image on said data access device of a user familiar environment

composed of image elements, said user familiar environment being composed of

objects associate with information, each of said image elements corresponding to one

of said objects to suggest to the user to corresponding information (see Baker, column

9, lines 59 – 63 and column 10, lines 23 – 54);

selecting one of said image elements by the user (see Baker, column 10, lines 23

– 35);

retrieving information by said data access device (see Baker, column 10, lines 23

– 35);

providing information associated with the selected one image element (see

Baker, column 10, lines 23 – 35).

As per claim 11, which is dependent on claim 10, Baker teaches the method of

claim 10 (see rejection above). Baker further teaches the method comprising

generating messages on said screen (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 12, which is dependent on claim 10, Baker teaches the method of claim 10 (see rejection above). Baker et al. further teaches the method comprising generating messages identifying the information associated with said image elements (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 19, which is dependent on claim 10, Baker teaches the method of claim 10 (see rejection above). Baker further teaches the method comprising generating a second image in response to the selection of said one image element (see Baker, Appendix B; when the ladder icon is selected, the current directory changes to the parent directory of the current directory, and a second image corresponding to the parent directory is loaded).

As per claim 20, which is dependent on claim 19, Baker teaches the method of claim 19 (see rejection above). Baker further teaches the method wherein the information corresponding to said one image element includes several categories, said second image includes a plurality of indicia corresponding to said categories (see Baker, column 12, lines 44 – 67 and Appendix B; it is inherent that the ladder image corresponds to a parent directory, and when the image for the new directory is loaded, this new image includes icons corresponding to the contents of the directory).

As per claim 21, which is dependent on claim 20, Baker teaches the method of claim 20 (see rejection above). Baker further teaches the method wherein said categories include generic categories associated with any user and user-specific categories associated with specific users (column 11, lines 51 – 67 and column 13, lines 58 –64; it is inherent that icons and relationships not defined by the user will have generic associations).

As per claim 22, which is dependent on claim 20, Baker teaches the method of claim 20 (see rejection above). Baker further teaches the method wherein said information is provided when one of said indicia is selected (see column 9, lines 27 – 30 and column 10, lines 1 - 5; it is inherent that an icon represents information that is displayed when the icon is selected).

As per claim 23, which is dependent on claim 20, Baker teaches the method of claim 20 (see rejection above). Baker further teaches the method wherein said indicia includes text descriptive of a corresponding category (see Baker, column 13, lines 2 – 9).

As per claim 24, which is dependent on claim 20, Baker teaches the method of claim 20 (see rejection above). Baker further teaches the method wherein said second image includes a display zone, the information being shown in said display zone (see

Baker, figure 1a and Appendix B; it is inherent that when a directory is loaded, a new

image corresponding to the directory is displayed on the screen and this image is

displayed in an area of the screen. The office interprets this area as a display zone).

Claims 27 – 31 are rejected under 35 U.S.C. 102(e) as being anticipated by

Berstis, U.S. Patent No. 6,243,091.

As per claim 27, Berstis teaches a user friendly Internet interface comprising:

a web browser (see Berstis, column 5, lines 5 – 17);

a software that generates for the user an image of a friendly environment formed

of objects and composed of image elements, each image element corresponding to one

of said objects, said image elements being selectable by the user to obtain information

(see Berstis, column 7, lines 27 – 35; it is inherent that the current page is the page

represented by the icon selected by the user); and

a database of URL addresses (see Berstis, column 5, lines 5 – 17; the office

interprets a stored listing of URLs to be a database of URLs) and accessible to said web

browser in association with the selection of one of said image elements (see Berstis,

column 9, lines 11 – 22; it is inherent that the web site selected by the user is displayed

in a web browser).

As per claim 28, which is dependent on claim 27, Berstis teaches the interface of claim 27 (see rejection above).

Berstis further teaches the interface wherein said software is adapted to generate a second image in response to a selection of one of said image elements, said second image including a plurality of indicia, each indicia identifying a category of the information associated with said one image element (see Berstis, column 5, lines 36 – 46; the office interprets the global history window as a second image, with the icons representing previously visited websites as indicia identifying websites).

As per claim 29, which is dependent on claim 27, Berstis teaches the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein each of said indicia is associated with at least one of said URL addresses (see Berstis, column 6, lines 63 – 65).

As per claim 30, which is dependent on claim 27, Berstis teaches the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein said second image includes a display zone, wherein information is provided in said display zone (see Berstis, column 7, lines 27 – 35).

As per claim 31, which is dependent on claim 27, Berstis teaches the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein said database is stored by a remote data server (see Berstis, column 2, lines 28 – 32; it is

inherent that the database contains URLs which relate to documents in a distributed

database because the URLS point to documents in the internet).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker,

U.S. Patent No. 6,002,402 in view of Clark et al., U.S. Patent No. 5,995,101.

As per claim 7, which is dependent on claim 6, Baker teaches the system of

claim 6 (see rejection above). Baker does not teach the system wherein said display

element becomes visible when said one image element is selected by said pointing

device. Clark et al. teach the system wherein a display element becomes visible when

an image element is selected by a pointing device (see Clark et al., column 1, lines 44 -

63). It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the system of Clark et al. with the system of Baker in order to

allow users to obtain detailed information about the function associated with a control

area, such as an icon.

Claims 8, 13 – 18, and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Berstis, U.S. Patent No.

6,243,091.

As per claim 8, which is dependent on claim 1, Baker teaches the system of

claim 1 (see rejection above). Baker does not teach the system comprising an Internet

connection and wherein said data access device is coupled to said Internet connection

and is adapted to provide data exchange through said Internet connection with other

locations. Berstis teaches a data access device with an Internet connection and

wherein said data access device is coupled to said Internet connection and is adapted

to provide data exchange through said Internet connection with other locations (see

Berstis, column 2, lines 28 – 37; it is inherent that the device is able to provide data

exchange through said Internet connection because the device allows for browsing

documents on the Internet). It would have been obvious to one of ordinary skill in the

art at the time of the invention to incorporate the system as taught by Berstis with the

system of Baker in order to allow for navigation of a distributed data set such as the

Internet.

As per claim 13, which is dependent on claim 8, Baker and Berstis teach the

system of claim 8 (see rejection above). Baker further teaches the system comprising

activating said one image element to generate a moving picture (see Baker, column 10,

lines 1 – 5).

As per claim 14, which is dependent on claim 13, Baker and Berstis teach the

system of claim 13 (see rejection above). Baker further teaches the system comprising

activating said one image element with said pointing device (see Baker, column 10,

lines 1 – 5).

As per claim 15, which is dependent on claim 14, Baker and Berstis teach the

system of claim 14 (see rejection above). Baker further teaches the system comprising

generating a message when said one image element is selected by said pointing device

(see Baker, column 9, lines 40 – 63 and column 10, lines 23 -35; the office interprets

movement of the animated character as a message because it communicates an

acknowledgement of a task requested by a user).

As per claim 16, which is dependent on claim 15, Baker and Berstis teach the

method of claim 15 (see rejection above). Baker further teaches the system wherein

said message identifies information associated with said one image element (see

Baker, column 9, lines 59 – 63).

As per claim 17, which is dependent on claim 13, Baker and Berstis teach the method of claim 13 (see rejection above). Baker further teaches the system wherein said moving image corresponds to the motion of the respective object represented by the one image element (see Baker, column 10, lines 1 – 5).

As per claim 18, which is dependent on claim 17, Baker and Berstis teach the method of claim 17 (see rejection above). Baker further teaches the system comprising generating sounds associated with the motion of the respective object (see Baker, column 9, lines 55 – 58).

As per claim 25, which is dependent on claim 10, Baker teaches the method of claim 10 (see rejection above). Baker does not teach the method wherein said data access device is associated with an Internet connection, further comprising access information over the Internet and downloading said information for display to the user. Berstis teaches a method wherein a data access device is associated with an Internet connection, further comprising access information over the Internet and downloading said information for display to the user (see Berstis, column 2, lines 28 – 37; it is inherent that the device is able to access and download information over the Internet ad display the information to the user because the device allows for browsing documents on the Internet). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the system as taught by Berstis with the system of Baker in order to allow for navigation of a distributed data set such as the Internet.

Claims 9 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Baker, U.S. Patent No. 6,002,401 in view of Naughton et al., U.S. Patent No. 5,886,697.

As per claim 9, which is dependent on claim 1, Baker teaches the system of

claim 1 (see rejection above). Baker does not teach the system wherein in response to

a command selection, said data access device is adapted to generate commands to

control remote devices. Naughton et al. teaches a system wherein in response to a

command selection, a data access device is adapted to generate commands to control

remote devices (see Naughton et al., column 3, lines 64 – 67 and column 4, lines 1 –

10). It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the system as taught by Naughton et al. with the system of

Baker in order to provide a graphical user interface and a method and apparatus for

controlling remote devices.

As per claim 26, it is of similar scope to claim 9, and is rejected under the same

rationale as claim 9 (see rejection above).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nagahara et al. teach a device and method for displaying a guide picture in virtual reality. Clanton, II et al. teach a graphical user interface for selection of audiovisual programming.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

KRISTINE KINCAID
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